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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:24-cr-00421-AMO
Plaintiff,)	GOVERNMENT'S DETENTION
v.)	MEMORANDUM
TERRANCE KING,)	Courtroom: 4
Defendant.)	Hearing Date: August 16, 2024
)	Hearing Time: 10:30 a.m.

1 **I. INTRODUCTION**

2 Defendant Terrance King is a felon—twice convicted of crimes involving firearms—who has
3 spent more than a decade in prison and is now charged with possessing a firearm as a felon. In the
4 instant case, Mr. King is accused of possessing a loaded AK-style pistol, only days after being released
5 from prison (after being paroled on a 17-year sentence for assault with a firearm with a gang
6 enhancement) and subsequently cutting off his ankle monitor, absconding from Southern California, and
7 then attempting to flee from officers at the time of his arrest. In 2012, Mr. King was also sentenced to
8 16 months in prison for possessing a firearm as a prohibited person. Despite multiple firearms
9 convictions and the restrictive conditions of his supervision, Mr. King continues to commit crimes and
10 acquire firearms. Mr. King’s multiple convictions and the facts of the instant case leave no doubt that he
11 has no intention of following any court orders and that he presents a clear flight risk and a serious
12 danger to the community. It is imperative that he remain detained pending trial.

13 **II. BACKGROUND**

14 **a. King—A Convicted Felon and Gang Leader—Removed His Ankle Monitor and**
15 **Absconded Three Days After His Release From Prison and Subsequently Possessed a**
16 **Loaded AK-style Pistol and Two Boxes of Ammunition.**

17 In the instant case, a federal grand jury returned an indictment charging Mr. King with a
18 violation of 18 U.S.C. § 922(g)(1) – felon in possession of a firearm. Mr. King is recognized by law
19 enforcement as high-ranking member of an Oakland-based gang, and his previous conviction for assault
20 with a firearm included a gang enhancement. On July 1, 2024, only three days after his release from
21 prison on parole, an arrest warrant issued for Mr. King after he removed his ankle monitor and
22 absconded from Southern California.

23 On July 10, 2024, the United States Marshal Service Task Force located Mr. King in San
24 Leandro, identified themselves as law enforcement, and attempted to arrest Mr. King. Mr. King fled on
25 foot and continued to flee even after an agent deployed a taser. When Mr. King was eventually
26 apprehended, agents located in the duffel bag he carried a loaded AK-style pistol with a 30-round
27 magazine and two boxes of ammunition, for a total of 52 rounds of ammunition.

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The following photos show the gun and ammunition recovered from in and around the duffel bag:



After being read his *Miranda* rights, Mr. King acknowledged that he possessed the gun for protection.

b. King Has Previously Been Convicted of Two Crimes Involving Firearms and Another For Human Trafficking of a Minor

Mr. King has previously been convicted of multiple felonies, including two felonies involving firearms. In 2013, he was sentenced to 17 years in prison following a conviction for assault with a firearm (Penal Code section 245(a)(2)) with sentencing enhancements for committing the crime as part of a gang and personally using a firearm.) In 2013, Mr. King also pled guilty to coercing a minor to engage in commercial sex. As noted above, he was released on parole on June 28, 2024, and absconded only three days later. And in 2012, only a year prior to those convictions, Mr. King was sentenced to 16 months in prison for possessing a firearm as a prohibited person. (Penal Code section 12021(a)(1)).

c. The Firearm Possessed by King Has Been Linked to Three Other Shootings in Oakland (All of Which Occurred Prior to King's Release from Prison)

A preliminary correlation review of shell casings fired from the AK-style pistol possessed by Mr. King generated investigative leads to the shell casings found at the scene of three other shootings that

1 occurred in Oakland. One such case, a suspected attempted murder (the widely publicized Juneteenth
2 shooting at Lake Merritt in Oakland) occurred on June 19, 2024. The second case, a suspected assault
3 with a firearm, occurred on April 15, 2024. And the third case, another suspected attempted homicide,
4 occurred on March 11, 2024.

5 **III. LEGAL STANDARD**

6 Under the Bail Reform Act of 1984, as amended, the Court must detain a defendant pretrial
7 without bail where “the judicial officer finds that no condition or combination of conditions will
8 reasonably assure the appearance of the person as required and the safety of any other person in the
9 community.” 18 U.S.C. § 3142(e)(1). Detention is appropriate where a defendant is either a danger to
10 the community or a flight risk; it is not necessary for the government to prove both. *United States v.*
11 *Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985). A finding that a defendant is a danger to the
12 community must be supported by clear and convincing evidence, but a finding that a defendant is a
13 flight risk need only be supported by a preponderance of the evidence. *Id.*

14 “[T]he Bail Reform Act mandates an individualized evaluation guided by the factors articulated
15 in § 3142(g).” *United States v. Diaz-Hernandez*, 943 F.3d 1196, 1199 (9th Cir. 2019). Those factors
16 are: (1) the nature and circumstances of the offense charged; (2) the weight of the evidence against the
17 defendant; (3) the history and characteristics of the defendant, including the defendant’s character,
18 physical and mental condition, family and community ties, past conduct, history relating to drug or
19 alcohol abuse, criminal history, and record concerning appearance at court proceedings, as well as
20 whether the crime was committed while the defendant was on probation or parole; and (4) the nature and
21 seriousness of the danger to any person or to the community that would be posed by the defendant’s
22 release. 18 U.S.C. § 3142(g); *United States v. Winsor*, 785 F.2d 755, 757 (9th Cir. 1986).

23 **IV. MR. KING PRESENTS A CLEAR FLIGHT RISK**

24 As a term of his parole, Mr. King was required to remain in Southern California and to wear a
25 GPS ankle monitor. Nonetheless, within days of his release, Mr. King removed his ankle monitor and
26 absconded.

27 Further, at the time of his arrest, Mr. King refused to submit to law enforcement after they
28 identified themselves, and instead attempted to flee, and continued to flee even after a taser was

1 deployed.

2 Mr. King's conduct almost immediately following his release from prison makes clear that he
3 will flee from law enforcement. The strict conditions of parole (including GPS monitoring) were
4 insufficient. There are no conditions this Court can impose to mitigate the risk of flight.

5 **V. KING'S CONTINUOUS CRIMINAL CONDUCT PROVES THAT HE IS A DANGER TO**
6 **THE COMMUNITY**

7 The United States submits that no condition or combination of conditions will protect the public
8 should he be released from custody.

9 **a. The Nature and Circumstances of the Offense Weigh in Favor of Detention**

10 Mr. King's possession of a semi-automatic firearm with a large capacity magazine—while on
11 parole for a violent firearms offense which occurred just after the completion of his imprisonment for
12 *another* offense involving a firearm—makes clear the danger he poses to the community. Despite
13 repeated arrests and convictions, Mr. King—who has a known history of assault with a firearm—
14 continues to show that he is unwilling to stop acquiring loaded semiautomatic weapons, all while under
15 court-mandated supervision.

16 The nature and circumstances of the offense leave no doubt that, if released from custody, Mr.
17 King would continue to acquire semiautomatic firearms.

18 **b. Nature and Seriousness of the Danger to the Community**

19 Mr. King's repeated conduct proves that, if released, he has no intention of following the law and
20 will acquire additional firearms. And given his history of using firearms, his release could have deadly
21 consequences. That Mr. King continues to commit these offenses and acquire firearms despite the
22 supervision provided by parole only further proves the danger he poses to the community.

23 Further, that the firearm Mr. King possessed was likely used in three other shootings—including
24 two suspected attempted murders—indicates the sort of people with whom Mr. King is associating after
25 his release from prison. Although Mr. King was incarcerated at the time these other shootings occurred,
26 his ability to quickly acquire a firearm that had likely been used in multiple acts of violence further
27 highlights the danger Mr. King poses to the community.

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1 **c. The Weight of the Evidence Against King Is Overwhelming**

2 The evidence against Mr. King is overwhelming. The firearm was found in the duffel bag he
3 carried while he was fleeing the Task Force officers. There was no one else in the area who could have
4 possessed the gun or the duffel bag in which it was carried.

5 **d. King's Criminal History and Prior Conduct—including While on Post Release
6 Community Supervision—Demonstrate the Danger He Poses**

7 It is Mr. King's repeated criminal conduct that demonstrates the danger he poses to the
8 community and proves that he has no intention of complying with any court orders. Despite the
9 restrictions of parole, Mr. King—who has a history not only of possessing firearms, but actually
10 assaulting people with them—continues to commit crimes by repeatedly acquiring firearms. He is a
11 danger to the public at large.

12 Finally, there is simply no viable place to which the defendant can be released. Mr. King already
13 lived in a residence that was approved by parole, and yet he fled that residence almost immediately and
14 has continued to commit crimes.

15 **VI. CONCLUSION**

16 For the reasons set forth above, the defendant presents a clear flight risk and a serious danger to
17 the community. The Court should therefore detain the defendant pending trial.

18 DATED: August 15, 2024

Respectfully submitted,

ISMAIL J. RAMSEY
United States Attorney

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20
21 /s/ Jonah P. Ross
22 JONAH P. ROSS
23 Assistant United States Attorney
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